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10/763,639	01/22/2004	Christopher J.F. Waters	20880-08515	7687
758 7590 07/10/2008 FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041				
EXAMINER PATEL, HARESH N				
ART UNIT 2154		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/763,639

**Applicant(s)**

WATERS, CHRISTOPHER J.F.

**Examiner**

Haresh N. Patel

**Art Unit**

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-16 are subject to examination. Claims 17, 18 are cancelled.

***Response to Arguments***

2. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection. Claims 1-18 dated 1/22/2004 were rejected using the prior arts of the office action dated 9/12/2007.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Amended claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Krumel 2006/0253903 (Hereinafter Krumel).
5. Referring to claim 1, Krumel discloses an active management system for controlling real-time operation of a SOHO network having a SOHO network device and an active management personal computer, the active management system for controlling real-time operation of the SOHO network device (e.g. page 4) comprising: an active management console device configured to operate in the active management personal computer (e.g., page 3), the active

management console device for enabling real-time communication of active management queries to configure the SOHO network device between the SOHO network device (e.g., page 3) and a user at the active management personal computer during operation of the SOHO network device (e.g., page 3); and an active management agent device, remote from the active management console device (e.g., page 3), configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device (e.g., page 4).

6. Referring to claim 2, Krumel discloses the claimed limitations as rejected above. Krumel also discloses a firewall device configured to operate in the SOHO network device and communicatively coupled to the console agent for implementing firewall rules in response to query responses from a user (e.g., page 4).

7. Referring to claim 3, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management agent device further comprises a memory device for storing a set of lists (e.g., page 5).

8. Referring to claim 4, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the set of lists comprises at least one of an approved internal IP address list, an approved destination IP addresses and ports list, a content managed computer identifier list, and a content approved URL and Domain Name list (e.g., page 5).

9. Referring to claim 5, Krumel discloses the claimed limitations as rejected above. Krumel also discloses a second active management console device operating in a second active management personal computer in the SOHO network (e.g., page 4).

10. Referring to claim 6, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management console device is implemented in software executable by a processor in a personal computer (e.g., page 3).

11. Referring to claim 7, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management agent device is implemented in software executable by a processor in the SOHO network device (e.g., page 3).

12. Referring to claim 8, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management agent device and the active management console device include a protocol stack, the protocol stack for enabling communications between the active management agent device and the active management console device to implement the a set of active management gateway functions (e.g., page 3).

13. Referring to claim 9, Krumel discloses a method for enabling real-time user input for implementing active management gateway functions in a SOHO network having an active management computer and a gateway device (e.g., page 4), the method comprising: receiving

one or more data packets that trigger a code to implement an active management gateway function (e.g., page 5); in response to receiving the one or more data packets, sending an active management query from the gateway device to an active management console device at the active management computer (e.g., page 5), the active management computer remote from the gateway device (page 5); receiving an active management query response from the active management console device at the active management computer (e.g., page 5) the active management query response for configuring the gateway device (e.g., page 5); and in response to receiving the active management query response, implementing the active management gateway function at the gateway device in real-time according to the information provided in the active management query response (e.g., page 5).

14. Referring to claim 10, Krumel discloses the claimed limitations as rejected above. Krumel also discloses displaying options based on the active management query to a user at the active management personal computer (e.g., page 4).

15. Referring to claim 11, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management gateway function is a user input based firewall rule (e.g., page 3).

16. Referring to claim 12, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management gateway function is a real-time, personal,

content-filtering function to prompt a user at the active management computer for access authorization based on one of a domain name or a URL (e.g., page 5).

17. Referring to claim 13, Krumel discloses the claimed limitations as rejected above. Krumel also discloses in response to receiving an active management query response from the active management console device indicating an access grant to a domain name, storing an identifier corresponding to the domain name with an access rule to be automatically implemented for subsequent accessing of said domain (e.g., page 4).

18. Referring to claim 14, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the active management gateway function is a real-time, user access authorization function to prompt a user at the active management personal computer for access authorization to a WAN for a second personal computer in the SOHO network (e.g., page 4).

19. Referring to claim 15, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein the access authorization is based on one of a user name or a network computer identification (e.g., page 6).

20. Referring to claim 16, Krumel discloses the claimed limitations as rejected above. Krumel also discloses wherein implementing active management gateway function includes a

creating an ALG at the SOHO network device in response to a user approval of a suggested ALG authorization request included in the active management query (e.g., page 5).

21. Amended claims 1-16 are rejected under 35 U.S.C. 102(c) as being anticipated by Butchorn et al., Hughes Electronics, 2004/0132451 (Hereinafter Butchorn-Hughes).

22. Referring to claim 1, Butchorn-Hughes discloses an active management system for controlling real-time operation of a SOHO network having a SOHO network device and an active management personal computer, the active management system for controlling real-time operation of the SOHO network device (e.g. page 6) comprising: an active management console device configured to operate in the active management personal computer (e.g., page 5), the active management console device for enabling real-time communication of active management queries to configure the SOHO network device between the SOHO network device (e.g., page 5) and a user at the active management personal computer during operation of the SOHO network device (e.g., page 5); and an active management agent device, remote from the active management console device (e.g., page 5), configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device (e.g., page 6).

23. Referring to claim 2, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses a firewall device configured to operate in the SOHO



network device and communicatively coupled to the console agent for implementing firewall rules in response to query responses from a user (e.g., page 6).

24. Referring to claim 3, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management agent device further comprises a memory device for storing a set of lists (e.g., page 7).

25. Referring to claim 4, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the set of lists comprises at least one of an approved internal IP address list, an approved destination IP addresses and ports list, a content managed computer identifier list, and a content approved URL and Domain Name list (e.g., page 7).

26. Referring to claim 5, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses a second active management console device operating in a second active management personal computer in the SOHO network (e.g., page 6).

27. Referring to claim 6, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management console device is implemented in software executable by a processor in a personal computer (e.g., page 5).

28. Referring to claim 7, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management agent device is implemented in software executable by a processor in the SOHO network device (e.g., page 5).

29. Referring to claim 8, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management agent device and the active management console device include a protocol stack, the protocol stack for enabling communications between the active management agent device and the active management console device to implement the a set of active management gateway functions (e.g., page 5).

30. Referring to claim 9, Butchorn-Hughes discloses a method for enabling real-time user input for implementing active management gateway functions in a SOHO network having an active management computer and a gateway device (e.g., page 6), the method comprising: receiving one or more data packets that trigger a code to implement an active management gateway function (e.g., page 7); in response to receiving the one or more data packets, sending an active management query from the gateway device to an active management console device at the active management computer (e.g., page 7), the active management computer remote from the gateway device (page 7); receiving an active management query response from the active management console device at the active management computer (e.g., page 7) the active management query response for configuring the gateway device (e.g., page 7); and in response to receiving the active management query response, implementing the active management gateway

function at the gateway device in real-time according to the information provided in the active management query response (e.g., page 7).

31. Referring to claim 10, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses displaying options based on the active management query to a user at the active management personal computer (e.g., page 6).

32. Referring to claim 11, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management gateway function is a user input based firewall rule (e.g., page 5).

33. Referring to claim 12, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management gateway function is a real-time, personal, content-filtering function to prompt a user at the active management computer for access authorization based on one of a domain name or a URL (e.g., page 7).

34. Referring to claim 13, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses in response to receiving an active management query response from the active management console device indicating an access grant to a domain name, storing an identifier corresponding to the domain name with an access rule to be automatically implemented for subsequent accessing of said domain (e.g., page 6).

35. Referring to claim 14, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the active management gateway function is a real-time, user access authorization function to prompt a user at the active management personal computer for access authorization to a WAN for a second personal computer in the SOHO network (e.g., page 6).

36. Referring to claim 15, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein the access authorization is based on one of a user name or a network computer identification (e.g., page 8).

37. Referring to claim 16, Butchorn-Hughes discloses the claimed limitations as rejected above. Butchorn-Hughes also discloses wherein implementing active management gateway function includes a creating an ALG at the SOHO network device in response to a user approval of a suggested ALG authorization request included in the active management query (e.g., page 7).

38. Amended claims 1-16 are rejected under 35 U.S.C. 102(c) as being anticipated by Young et al. , 7,274,684 (Hereinafter Young).

39. Referring to claim 1, Young discloses an active management system for controlling real-time operation of a SOHO network having a SOHO network device and an active management personal computer, the active management system for controlling real-time operation of the SOHO network device (e.g. col., 3) comprising: an active management console device

configured to operate in the active management personal computer (e.g., col., 14), the active management console device for enabling real-time communication of active management queries to configure the SOHO network device between the SOHO network device (e.g., col., 14) and a user at the active management personal computer during operation of the SOHO network device (e.g., col., 14); and an active management agent device, remote from the active management console device (e.g., col., 14), configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device (e.g., col., 3).

40. Referring to claim 2, Young discloses the claimed limitations as rejected above. Young also discloses a firewall device configured to operate in the SOHO network device and communicatively coupled to the console agent for implementing firewall rules in response to query responses from a user (e.g., col., 3).

41. Referring to claim 3, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management agent device further comprises a memory device for storing a set of lists (e.g., col., 7).

42. Referring to claim 4, Young discloses the claimed limitations as rejected above. Young also discloses wherein the set of lists comprises at least one of an approved internal IP address

list, an approved destination IP addresses and ports list, a content managed computer identifier list, and a content approved URL and Domain Name list (e.g., col., 7).

43. Referring to claim 5, Young discloses the claimed limitations as rejected above. Young also discloses a second active management console device operating in a second active management personal computer in the SOHO network (e.g., col., 3).

44. Referring to claim 6, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management console device is implemented in software executable by a processor in a personal computer (e.g., col., 14).

45. Referring to claim 7, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management agent device is implemented in software executable by a processor in the SOHO network device (e.g., col., 14).

46. Referring to claim 8, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management agent device and the active management console device include a protocol stack, the protocol stack for enabling communications between the active management agent device and the active management console device to implement the a set of active management gateway functions (e.g., col., 14).

47. Referring to claim 9, Young discloses a method for enabling real-time user input for implementing active management gateway functions in a SOHO network having an active management computer and a gateway device (e.g., col., 3), the method comprising: receiving one or more data packets that trigger a code to implement an active management gateway function (e.g., col., 7); in response to receiving the one or more data packets, sending an active management query from the gateway device to an active management console device at the active management computer (e.g., col., 7), the active management computer remote from the gateway device (col., 7); receiving an active management query response from the active management console device at the active management computer (e.g., col., 7) the active management query response for configuring the gateway device (e.g., col., 7); and in response to receiving the active management query response, implementing the active management gateway function at the gateway device in real-time according to the information provided in the active management query response (e.g., col., 7).

48. Referring to claim 10, Young discloses the claimed limitations as rejected above. Young also discloses displaying options based on the active management query to a user at the active management personal computer (e.g., col., 3).

49. Referring to claim 11, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management gateway function is a user input based firewall rule (e.g., col., 14).

50. Referring to claim 12, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management gateway function is a real-time, personal, content-filtering function to prompt a user at the active management computer for access authorization based on one of a domain name or a URL (e.g., col., 7).

51. Referring to claim 13, Young discloses the claimed limitations as rejected above. Young also discloses in response to receiving an active management query response from the active management console device indicating an access grant to a domain name, storing an identifier corresponding to the domain name with an access rule to be automatically implemented for subsequent accessing of said domain (e.g., col., 3).

52. Referring to claim 14, Young discloses the claimed limitations as rejected above. Young also discloses wherein the active management gateway function is a real-time, user access authorization function to prompt a user at the active management personal computer for access authorization to a WAN for a second personal computer in the SOHO network (e.g., col., 3).

53. Referring to claim 15, Young discloses the claimed limitations as rejected above. Young also discloses wherein the access authorization is based on one of a user name or a network computer identification (e.g., col., 5).

54. Referring to claim 16, Young discloses the claimed limitations as rejected above. Young also discloses wherein implementing active management gateway function includes a creating an



ALG at the SOHO network device in response to a user approval of a suggested ALG authorization request included in the active management query (e.g., col., 7).

***Conclusion***

55. In order to expedite the prosecution of this case, multiple references are used for the rejections to demonstrate that several references disclose the claimed subject matter of the claims.

**THIS ACTION IS MADE FINAL** necessitated by the amendments to the claims.  
Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2154

7/4/2008